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Best Buy Co., Inc.

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X Civil Action No.:
SOFTWARE FREEDOM CONSERVANCY, INC. 09 CIV 10155
and ERIK ANDERSEN,

Plaintiffs,
-against-

STIPULATION TO
WITHDRAW AS COUNSEL

BEST BUY CO., INC., SAMSUNG ELECTRONICS
AMERICA, INC., WESTINGHOUSE DIGITAL
ELECTRONICS, LLC, JVC AMERICAS
CORPORATION, WESTERN DIGITAL
TECHNOLOGIES, INC., ROBERT BOSCH LLC,
PHOEBE MICRO, INC., HUMAX USA INC.,
COMTREND CORPORATION, DOBBS-STANFORD
CORPORATION, VERSA TECHNOLOGY INC.,
ZYXEL COMMUNICATIONS INC., ASTAK INC.,
and GCI TECHNOLOGIES CORPORATION,

Scheindlin, J.

Defendants.

-----X

WHEREAS, plaintiffs Software Freedom Conservancy, Inc. and Erik Andersen commenced this action against Best Buy Co, Inc. ("Best Buy") and other defendants based on allegations of copyright infringement;

WHEREAS, Best Buy initially retained Simmons Jannace, LLP ("Simmons Jannace") to serve as temporary counsel for the limited purpose of obtaining a sixty-day extension of Best Buy's time to

answer and to afford Best Buy time to retain counsel that specializes in intellectual property law;

WHEREAS, Simmons Jannace obtained a sixty-day extension of Best Buy's time to answer by Stipulation with plaintiffs, so-ordered by the Honorable Shira A. Scheindlin;

WHEREAS, Best Buy subsequently retained Robins, Kaplan, Miller, & Ciresi, L.L.P. to serve as Best Buy's counsel of record in this matter;

WHEREAS, Best Buy no longer requires the services of Simmons Jannace as counsel in this matter; and

WHEREAS, the parties will not be prejudiced by permitting Simmons Jannace to withdraw as counsel.

IT IS HEREBY STIPULATED AND AGREED, between Simmons Jannace and Robins Kaplan, as attorneys for Best Buy, that Simmons Jannace is hereby relieved as counsel of record for Best Buy and that the appearances of Kevin P. Simmons and Jason W. Creech of Simmons Jannace as counsel of record for Best Buy are hereby withdrawn; and

IT IS FURTHER STIPULATED AND AGREED, that this Stipulation may be executed in counterparts, any of which may be transmitted by facsimile and each of which when so executed and delivered shall be deemed an original, with all which shall together constitute one and the same agreement.

Dated: Syosset, New York
August 9, 2010

ROBINS KAPLAN MILLER
& CIRESI, L.L.P.
Incoming Attorneys for Defendant
Best Buy Co., Inc.

SIMMONS JANNACE, LLP
Outgoing Attorneys for
Defendant Best Buy Co., Inc.

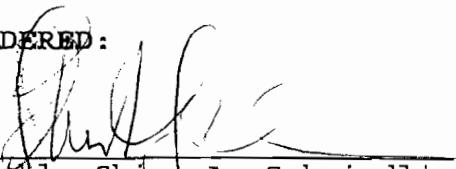
By: /s/ David Lechtman
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By: /s/ Kevin P. Simmons
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SIMMONS JANNACE, LLP
Outgoing Attorneys for
Defendant Best Buy Co., Inc.

By: /s/ Jason W. Creech
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(516) 802-0630

SO ORDERED:


Honorable Shira A. Scheindlin
U.S.D.J.

8/26/10

Stip to withdraw as counsel